

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KARIM JONES,

Plaintiff,

-against-

CITY OF NEW YORK et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/6/2020

1:19-cv-10424 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

In an Order dated March 30, 2020, the Court granted Defendants' request, on Plaintiff's consent, for a stay of this action [ECF #13]. The Court also directed Defendants to answer at the expiration of the requested stay. In lieu of filing an answer, Defendants filed a pre-motion letter requesting leave to file a motion to dismiss the complaint [ECF #14], as permitted by the Court's Individual Rules of Practice in Civil Cases. Plaintiff, however, never respond to Defendants' pre-motion letter, even though the Defendants represent in their letter that Plaintiff does not consent to their request to file their contemplated motion to dismiss, and, therefore, the Court's Individual Rules require a response within three business days.

As such, IT IS HEREBY ORDERED that the stay of this case is lifted. IT IS FURTHER ORDERED that, by October 8, 2020, counsel for Plaintiff shall file a letter showing cause why she should not be sanctioned for failing to comply with the Court's Individual Rules.

IT IS FURTHER ORDERED that, by October 13, 2020, Plaintiff shall inform the Court whether he intends to amend his complaint. This will be Plaintiff's last opportunity to amend his complaint in response to arguments raised in Defendants' pre-motion letter.

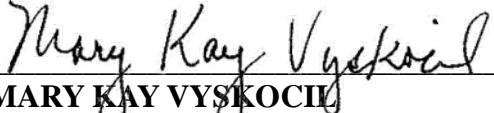
IT IS FURTHER ORDERED that if Plaintiff does not amend his complaint, Defendants shall file their motion to dismiss by October 29, 2020. Further briefing shall be submitted on the schedule set forth in Local Rule 6.1(b).

IT IS FURTHER ORDERED that if Plaintiff elects to amend his complaint, he shall file his amended complaint by October 29, 2020. Defendants shall respond to any amended complaint within 14 days of its filing. In the event Defendants file a motion to dismiss, the briefing for that motion will be on the schedule set forth in Local Rule 6.1(b).

Any request for an extension or adjournment shall be made by letter filed on ECF and must be received at least 48 hours before the deadline.

SO ORDERED.

Date: October 6, 2020
New York, NY


MARY KAY VYSKOCIL
United States District Judge